

**SPECIAL MEETING OF THE MAYOR AND THE BOARD OF TRUSTEES OF THE
VILLAGE OF IRVINGTON, NEW YORK, HELD ON WEDNESDAY, JUNE 25, 1997 8:00
P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor
Sheila M. Attai, Trustee
Garrard R. Beeney, Trustee
James McNiff, Trustee
Robert H. Pouch, Trustee
Stephen A. McCabe, Administrator

The meeting was called to order by Mayor Dennis P. Flood who lead the attendants in the pledge of allegiance to the flag of the United States of America.

Mayor Flood stated that tonight's special meeting was part of the Village Board's intention (stated at the outset of the Waterfront Park Project) to keep the public fully informed and fully involved every step of the way. Mayor Flood noted that the Village had succeed in obtaining State Clean Water/Clean Air Bond Act designation as the first "Brownfields" project in the State, and that along with that designation came a grant from the State to fund in part the environmental investigation work which was the subject of tonight's meeting. Mayor Flood referenced the Waterfront Park Groundmending ceremony held on May 19th and noted that the good spirit and positive attitude demonstrated that day typified the widespread excitement enthusiasm about this project. Mayor Flood observed that tonight we are launching the "environmental investigation" phase of the project with the help of the State Department of Environmental Conservation. The investigation, he said, would lay the groundwork for environmental remediation work to be done before the site could be turned into a park.

Village Administrator Steve McCabe made remarks regarding the additional steps forward currently in the works and those that are anticipated in the first year of the project. He referenced the selection of an architect to design the building that will be converted to a senior citizens center, and noted that it was the Village's objective that within the first year of the project, that is by March 31, 1998 the Village would complete all the investigation, planning, and design phases of the project.

Mr. George W. Heitzman, P.E., Senior Environmental Engineer, Division of Remediation, NYS Department of Environmental Conservation then gave an overview of the Clean Water/Clean Air Bond Act "Brownfields" Program. He noted that the goal of the program was to take abandoned or underutilized former industrial sites, particularly along waterfronts, to remediate any environmentally contaminated conditions, and to restore the sites to active commercial and/or public access recreational uses.

Mr. Steve Bates, P.E., NYS Department of Health, Bureau of Environmental Exposure then made remarks regarding the State Department of Health's involvement with the Brownfields program investigation. He noted that the DOH would enter the investigation in its later stages to confirm that the remediation alternatives identified in the course of the investigation would in fact be in keeping with standards of the State Department of Health.

The Village's Environmental Consultant Paul Ciminello, President of Ecosystems Strategies, Inc., then outlined the draft work plan for site investigation activities. He noted that the draft work plan had been available at the Irvington Public Library for public review and inspection prior to the meeting. A copy of the proposed draft work plan is attached hereto as a part of these minutes.

Preceding the question and answer period Mayor Flood introduced other representatives of the State Department of Environmental Conservation present including Sue McCormick and Keith Brown. Mayor Flood also recognized Steve Rosenberg, Land Acquisition Director of Scenic Hudson.

Mayor Flood then opened the question and answer period.

Ellen Appel asked if the Village would be liable for any unanticipated environmental remediation costs discovered by the investigation. Mr. Heitzman explained that as an officially designated Clean Water/Clean Air Bond Act "Brownfield" project the Village was indemnified from sole liability. He noted that there was additional State money available should unanticipated environmental remediation costs be discovered in the course of the investigation.

Cesare Manfredi, Irvington resident and NYSDEC Regional Engineer, noted that there were sources of funding other than the Bond Act also available should unanticipated environmental remediation costs be identified. He noted additional programs within the DEC as well as Environmental Protection Fund and money available through several State agencies.

Nicki Coddington asked what final comments would be published as a result of the environmental investigation and would they be highly technical in nature. Mr. Heitzman responded that the investigation

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final report would include alternatives for environmental remediation and assured Ms. Coddington that the final public report would be “user friendly”.

Dale Russell of 12 Willow Street asked what was the best technology out there today to remediate environmental conditions on the site. George Heitzman stated that this was jumping the gun a little bit and that the investigation would have to be completed first, but that a possible likely remediation measure would be covering the existing contaminated manmade landfill with fill and/or possibly a impermeable layer. Trustee Garrard Beeney noted also that the grading and drainage systems of the park would be designed to accommodate long range environmental protection of the site

Mr. Peter Close asked if the Village owned the property. Mayor Flood responded yes by virtue of the co-ownership agreement entered into with Scenic Hudson, when Scenic Hudson acquired the property. Mr. Close asked what would happen if the investigation determined that more environmental remediation costs were necessary than were provided for in the budget. Mayor flood stated that we would assess that possibility if and when we come to it, and noted that he was confident that there was adequate money, including contingency money, in the project budget to cover environmental remediation. Sue McCromick of the DEC noted that there was also additional State money available through Title 3 of the State environmental super fund and he assured Mr. Close that through one source or another there would be adequate funding available to complete the environmental remediation of the site.

Mr. Bill Sohl asked if it was the objective of the investigation to make the site “squeaky clean” and/or would requisite costs play a role in the final determination of required remediation. Mr. Heitzman responded saying that costs would be a factor, but that the first and primary consideration of the environmental remediation plan would be to provide for public safety and protection of the environment.

Mr. Dale Russell asked if the Village’s Matthiessen Park might provide any comparison for the proposed park site. Trustee Bob Pouch, who was a Trustee when Matthiessen Park was developed, explained that the standards for environmental control and remediation existent at the time did not rise to the level of current standards and therefore the experience with Matthiessen park was not adequately relevant.

Cesare Manfredi asked about the bulkhead along the shoreline and what was being done to address its condition. Steve McCabe explained that the environmental investigation would include an assessment of the condition of the waterfront. Paul Ciminello noted that the investigation would include soil testing which would additionally help determine the possibility or potential of any migration of the lead in the land fill which would also help determine what will be necessary in terms of shoreline restoration.

Ellen Appel asked about access to the park and Trustee Beeney explained that replacement of the Bridge Street bridge was planned by the State Department of Transportation and that the Village would be speaking with Metro-North Railroad regarding installation of another foot bridge to the park.

There being no further comments Mayor Flood closed the public hearing on the Waterfront Park environmental investigation.

Upon motion duly made seconded and unanimously approved the Village Board adjourned to executive session to take up personnel matters.

Upon reconvening from executive session the Board took up the following matters.

Authorized the Village Administrator and Village Clerk-Treasurer to hire a Summer intern, Brian Edward Allen, of Hastings-on-Hudson, who is a third year law student, at a rate of \$11.00 per hour. Mr. Allen will work from July 14th through the end of August on the recodification and other projects.

The Board approve the Fire Department’s request to keep the old Fire Chief’s vehicle going off line for use as an Assistant Chief’s vehicle based on the conditions proposed in Fire Chief’s John Peters letter to Trustee James McNiff, a copy of which is attached hereto as a part of these minutes, and based on the further condition that the repairs of the vehicle to be paid for by the Fire Department be specified as to and include “all future” repairs, and with the further condition that the vehicle would be replaced only when another Fire Chief’s car comes off line.

Upon motion duly made seconded and unanimously approved the Board authorized the Village Administrator to execute a contract in an amount not to exceed \$3,000 with Frederick P. Clark Associates, Inc., for professional services to develop a request for proposals for Waterfront Park design.

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Upon motion duly made seconded and unanimously approved the Board authorized the Village Administrator to execute a contract with Stephen Tilly Architect in the amount of \$199,500 to provide architectural design and oversight services for the new Village Library to be constructed in the Burnham Building.

Upon motion duly made seconded and unanimously approved the Board authorized the Village Administrator to execute a contract in the amount of approximately \$3,000 with Frederick P. Clark Associates, Inc., for purpose of planning consultations with respect to rezoning and redevelopment of private property on the waterfront.

There being no further business to conduct the meeting was adjourned.

Stephen McCabe
Village Administrator

Attachments